IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION CASE NO. 5:23-CV-014-KDB-DCK

JAMIE CLOER KIRBY,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
US BANK NATIONAL ASSOCIATION, and)	
NATIONSTAR, d/b/a MR. COOPER)	
MORTGAGE, LLC,)	
)	
Defendants.)	
	_)	

THIS MATTER IS BEFORE THE COURT on Plaintiff's "Motion For Non-Response Notice, Action To Rule On Order, And Award Of Damages" (Document No. 18) filed September 13, 2023. This motion has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion without prejudice.

From a review of Plaintiff's motion, it is not clear what relief he seeks. Defendants' "U.S. Bank, National Association And Nationstar Mortgage LLC D/B/A Mr. Cooper's Motion To Dismiss Complaint" (Document No. 8) is fully briefed and ripe for review. The Court will address the motion to dismiss as soon as time permits.

IT IS, THEREFORE, ORDERED that Plaintiff's "Motion For Non-Response Notice, Action To Rule On Order, And Award Of Damages" (Document No. 18) is **DENIED without prejudice**.

The Clerk of Court is directed to send a copy of this Order to *pro se* Plaintiff by certified U.S. Mail, return receipt requested.

SO ORDERED.

Signed: September 14, 2023

David C. Keesler

United States Magistrate Judge